



STATE OF WISCONSIN

Senate Journal

Ninety–Fifth Regular Session

10:00 A.M.

THURSDAY, June 14, 2001

The Senate met.

The Senate was called to order by Senator Jim Baumgart.

The Chair, with unanimous consent, asked that the proper entries be made in the journal.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS

Read first time and referred:

Senate Bill 207

Relating to: distribution of assistant district attorney positions.

By Senators Cowles, Darling and Hansen; cosponsored by Representatives Krawczyk, Wieckert, Townsend, Ainsworth, Huber and Owens.

To committee on **Judiciary, Consumer Affairs, and Campaign Finance Reform.**

REPORT OF COMMITTEES

The joint survey committee on **Tax Exemptions** reports and recommends:

Senate Bill 55

Relating to: state finances and appropriations, constituting the executive budget act of the 2001 legislature.

Public Policy Involved:

The provisions of the Bill relating to tax exemptions are good public policy with the exception of the provision relating to the taxation of custom computer programs. That provision should be removed from the Bill. Additionally, the provision of the Bill relating to property tax exemption for regional planning commissions should be removed from the Bill and considered as separate legislation.

Russell Decker
Senate Chairperson

ADVICE AND CONSENT OF THE SENATE

State of Wisconsin
Office of the Governor

June 8, 2001

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint BENZEL, TRACY C., of Mercer, as a member of the Examining Board of Professional Geologists, Hydrologists and Soil Scientists, to serve for the term ending July 1, 2005.

Sincerely,

SCOTT MCCALLUM

Governor

Read and referred to committee on **Environmental Resources.**

State of Wisconsin
Office of the Governor

June 8, 2001

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint KARNAUSKAS, ROBERT J., of Pewaukee, as a member of the Examining Board of Professional Geologists, Hydrologists and Soil Scientists, to serve for the term ending July 1, 2005.

Sincerely,

SCOTT MCCALLUM
Governor

Read and referred to committee on **Environmental Resources.**

State of Wisconsin
Office of the Governor

June 8, 2001

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint MICKELSON, DR. DAVID M., of Madison, as a member of the Examining Board of Professional Geologists, Hydrologists and Soil Scientists, to serve for the term ending July 1, 2005.

Sincerely,

SCOTT MCCALLUM
Governor

Read and referred to committee on **Environmental Resources.**

State of Wisconsin
Office of the Governor

June 8, 2001

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint JUNGERS, ROMAN M., of Waupaca, as a member of the Accounting Examining Board, to serve for the term ending July 1, 2005.

Sincerely,

SCOTT MCCALLUM
Governor

Read and referred to committee on **Universities, Housing, and Government Operations.**

**State of Wisconsin
Office of the Governor**

June 8, 2001

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint KILKENNY, THOMAS J., of Brookfield, as a member of the Accounting Examining Board, to serve for the term ending July 1, 2005.

Sincerely,

SCOTT MCCALLUM
Governor

Read and referred to committee on **Universities, Housing, and Government Operations.**

**State of Wisconsin
Office of the Governor**

June 8, 2001

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint HAERING, ARNO WM., of Wausau, as a member of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors, to serve for the interim term ending July 1, 2004.

Sincerely,

SCOTT MCCALLUM
Governor

Read and referred to committee on **Universities, Housing, and Government Operations.**

**State of Wisconsin
Office of the Governor**

June 8, 2001

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint KALISHEK, KAREN A., of Shawano, as a member of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors, to serve for the term ending July 1, 2005.

Sincerely,

SCOTT MCCALLUM
Governor

Read and referred to committee on **Universities, Housing, and Government Operations.**

**State of Wisconsin
Office of the Governor**

June 8, 2001

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint HOSKINS, ROBERT G., of Franklin, as a member of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors, to serve for the term ending July 1, 2005.

Sincerely,

SCOTT MCCALLUM
Governor

Read and referred to committee on **Universities, Housing, and Government Operations.**

**State of Wisconsin
Office of the Governor**

June 8, 2001

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint KOLB, HAROLD H., of Lake Geneva, as a member of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors, to serve for the term ending July 1, 2005.

Sincerely,

SCOTT MCCALLUM
Governor

Read and referred to committee on **Universities, Housing, and Government Operations.**

**State of Wisconsin
Office of the Governor**

June 11, 2001

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint NELSON, JOHN F., of Middleton, as a member of the Deferred Compensation Board, to serve for the term ending July 1, 2005.

Sincerely,

SCOTT MCCALLUM
Governor

Read and referred to committee on **Labor and Agriculture.**

**State of Wisconsin
Office of the Governor**

June 11, 2001

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint BEIL, MARTIN, of Mazomanie, as a member of the Deferred Compensation Board, to serve for the term ending July 1, 2005.

Sincerely,

SCOTT MCCALLUM
Governor

Read and referred to committee on **Labor and Agriculture.**

**State of Wisconsin
Office of the Governor**

June 11, 2001

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint METCALFE, V. MARTIN, of Monona, as a member of the Educational Communications Board, to serve for the term ending May 1, 2005.

Sincerely,

SCOTT MCCALLUM
Governor

Read and referred to committee on **Universities, Housing, and Government Operations.**

**State of Wisconsin
Office of the Governor**

June 11, 2001

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint BRAS, ARMANDO A., of Richfield, as a member of the Educational Communications Board, to serve for the term ending May 1, 2005.

Sincerely,

SCOTT MCCALLUM
Governor

Read and referred to committee on **Universities, Housing, and Government Operations.**

**State of Wisconsin
Office of the Governor**

June 8, 2001

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint REINEMANN, ROGER, of Mequon, as a member of the Judicial Commission, to serve for the interim term ending August 1, 2003.

Sincerely,

SCOTT MCCALLUM
Governor

Read and referred to committee on **Judiciary, Consumer Affairs, and Campaign Finance Reform.**

**State of Wisconsin
Office of the Governor**

June 11, 2001

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint MIYAMOTO, DOUGLAS "BUB" M., of La Crosse, as a member of the Lower Wisconsin State Riverway Board, to serve for the term ending May 1, 2004.

Sincerely,

SCOTT MCCALLUM
Governor

Read and referred to committee on **Environmental Resources.**

**State of Wisconsin
Office of the Governor**

June 11, 2001

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint ONSAGER, CATHERINE, of West Salem, as a member of the Kickapoo Reserve Management Board, to serve for the term ending May 1, 2004.

Sincerely,

SCOTT MCCALLUM
Governor

Read and referred to committee on **Environmental Resources.**

**State of Wisconsin
Office of the Governor**

June 8, 2001

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint SMITH, BILL G., of Middleton, as a member of the Prison Industries Board, to serve for the term ending May 1, 2003.

Sincerely,

SCOTT MCCALLUM
Governor

Read and referred to committee on **Economic Development and Corrections.**

**State of Wisconsin
Office of the Governor**

June 8, 2001

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint POPE, CAROL VOLLMER, of Brookfield, as a member of the Prison Industries Board, to serve for the term ending May 1, 2004.

Sincerely,

SCOTT MCCALLUM
Governor

Read and referred to committee on **Economic Development and Corrections.**

**State of Wisconsin
Office of the Governor**

June 8, 2001

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint BALISTRERI, LYLE A., of Wauwatosa, as a member of the Prison Industries Board, to serve for the term ending May 1, 2004.

Sincerely,

SCOTT MCCALLUM
Governor

Read and referred to committee on **Economic Development and Corrections.**

**State of Wisconsin
Office of the Governor**

June 8, 2001

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint GRONLEY, BILL L., of Reedsburg, as a member of the Prison Industries Board, to serve for the term ending May 1, 2004.

Sincerely,

SCOTT MCCALLUM
Governor

Read and referred to committee on **Economic Development and Corrections.**

**REFERRALS AND RECEIPT OF
COMMITTEE REPORTS CONCERNING
PROPOSED ADMINISTRATIVE RULES**

Senate Clearinghouse Rule 00-157

Relating to consultation programs and licensure requirements.

Submitted by Department of Regulation and Licensing.

Recalled by Agency, June 7, 2001.

Senate Clearinghouse Rule 01–021

Relating to pesticide license fee surcharges.

Submitted by Department of Agriculture, Trade and Consumer Protection.

Report received from Agency, June 12, 2001.

Referred to committee on **Labor and Agriculture**, June 14, 2001.

Senate Clearinghouse Rule 01–028

Relating to minor remedial drafting changes to department rules.

Submitted by Department of Agriculture, Trade and Consumer Protection.

Report received from Agency, June 12, 2001.

Referred to committee on **Labor and Agriculture**, June 14, 2001.

The committee on **Health, Utilities, Veterans and Military Affairs** reports and recommends:

Senate Clearinghouse Rule 00–165

Relating to transfer of prescription orders.

No action taken.

Senate Clearinghouse Rule 00–167

Relating to defining the practice of nursing to include acting under the direction of optometrists.

No action taken.

Senate Clearinghouse Rule 00–168

Relating to continuing education of nurses.

No action taken.

Senate Clearinghouse Rule 00–188

Relating to long term care insurance.

No action taken.

Rodney Moen
Chairperson

MESSAGES FROM THE ASSEMBLY

By John A. Scocos, chief clerk.

Mr. President:

I am directed to inform you that the Assembly has passed and asks concurrence in:

Assembly Bill 44

Assembly Bill 63

Assembly Bill 104

Assembly Bill 114

Assembly Bill 147

Assembly Bill 151

Assembly Bill 152

Assembly Bill 153

Assembly Bill 166

Assembly Bill 184

Assembly Bill 239

Assembly Bill 245

Assembly Bill 246

Assembly Bill 286

Assembly Bill 291

Assembly Bill 343

Assembly Bill 345

Adopted and asks concurrence in:

Assembly Joint Resolution 54

Concurred in:

Senate Bill 9

Senate Bill 10

Senate Bill 58

Senate Joint Resolution 31

**MESSAGES FROM THE ASSEMBLY
CONSIDERED**

Assembly Bill 44

Relating to: authorizing the payment of different prices to producers for milk based on specified criteria.

By Representatives Ward, Ainsworth, Freese, Gronemus, Hahn, Huebsch, Hundertmark, Kedzie, Kestell, Kreibich, La Fave, Montgomery, Nass, Olsen, Ott, Plale, Seratti, Starzyk, Sykora and Vrakas; cosponsored by Senator S. Fitzgerald.

Read first time and referred to committee on **Labor and Agriculture**.

Assembly Bill 63

Relating to: the duty of a motor vehicle operator who is involved in an accident with a person or an attended or occupied vehicle and providing a penalty.

By Representatives Stone, Sykora, Ladwig, Gronemus, Urban, Steinbrink, La Fave, Miller, Vrakas, Townsend, Williams, Ainsworth and Ott; cosponsored by Senators Roessler and Schultz.

Read first time and referred to committee on **Insurance, Tourism, and Transportation**.

Assembly Bill 104

Relating to: allowing a "Class A" licensee to provide wine free of charge for consumption on the licensee's premises.

By Representatives Pettis, Walker, Duff, J. Lehman, Gronemus, Krawczyk, Jeskewitz, Gunderson, Grothman, Albers, Sykora, D. Meyer, Townsend, Vrakas, McCormick and Petrowski; cosponsored by Senators Breske, Darling, Huelsman, Rosenzweig and Zien.

Read first time and referred to committee on **Insurance, Tourism, and Transportation**.

Assembly Bill 114

Relating to: allowing managed forest land to be located in cities.

By Representatives Skindrud, Ainsworth, Albers, Freese, Gronemus, Gunderson, Johnsrud, Miller, Musser, Powers, Seratti, Vrakas and Williams; cosponsored by Senators Erpenbach and Baumgart.

Read first time and referred to committee on **Environmental Resources**.

Assembly Bill 147

Relating to: creating a permit authorizing the operation upon a highway of a specialized hauling rig that exceeds statutory size and weight limits.

By Representatives Stone, Grothman, Montgomery, Townsend, Albers, Lassa, Sykora, Petrowski, Pettis, Wade, Gronemus and Ryba; cosponsored by Senators Breske and M. Meyer.

Read first time and referred to committee on **Insurance, Tourism, and Transportation**.

Assembly Bill 151

Relating to: proceeds from the sale of forest products at Badger Army Ammunition Plant and making an appropriation.

By Representatives Wade, Freese, Albers, Gunderson, Townsend and Musser; cosponsored by Senators Welch and Schultz.

Read first time and referred to committee on **Health, Utilities, Veterans and Military Affairs.**

Assembly Bill 152

Relating to: expenditures from Indian gaming revenue for law enforcement aids for the enforcement of laws regulating snowmobiles and the operation of snowmobiles and making an appropriation.

By Representatives Wade, Huebsch, Hundertmark, Freese, Ainsworth, Gunderson, Seratti and Townsend; cosponsored by Senators M. Meyer and Schultz.

Read first time and referred to committee on **Insurance, Tourism, and Transportation.**

Assembly Bill 153

Relating to: authorizing resident senior citizens to hunt with a crossbow.

By Representatives Pettis, Suder, Johnsrud, Freese, Albers, Musser, McCormick, Gronemus, Gundrum, Owens, Sherman, Seratti, Plouff, Petrowski and Townsend; cosponsored by Senators Shibilski, Roessler and Zien.

Read first time and referred to committee on **Environmental Resources.**

Assembly Bill 166

Relating to: nonmoving traffic violations involving rented or leased motor vehicles.

By Representatives Duff, Stone, Montgomery, Urban, La Fave, Turner, Pettis, Kedzie, Gronemus, Nass, Vrakas, Ladwig, Townsend, Olsen, Gunderson, Powers, Grothman and Albers; cosponsored by Senators Wirch, Schultz, Farrow, Roessler, Burke and Huelsman.

Read first time and referred to committee on **Insurance, Tourism, and Transportation.**

Assembly Bill 184

Relating to: reporting of information by nonresident registrants under the campaign finance law.

By Representatives Seratti, Freese, Vrakas, Albers, Krawczyk, Pettis, Williams, Jeskewitz, Skindrud, Townsend, Petrowski, Owens, Urban, Musser, Powers and F. Lasee.

Read first time and referred to committee on **Judiciary, Consumer Affairs, and Campaign Finance Reform.**

Assembly Bill 239

Relating to: calculating the estimated snowmobile gas tax payment; operation of snowmobiles by law enforcement officers on highways; operation of snowmobiles proceeding in opposite directions or in excess of roadway speed limits; vehicle noise levels for snowmobiles; tampering with odometers of snowmobiles and all-terrain vehicles and with hour meters of boats, snowmobiles, and all-terrain vehicles; inspection of equipment on snowmobiles; transfer of snowmobile registration certificates; exempting accidents occurring in certain snowmobile races or derbies from requirements to render aid and from reporting and investigation requirements; use of fees collected for snowmobile trail use stickers for snowmobile trail maintenance costs; granting

rule-making authority; making an appropriation; and providing a penalty.

By Representatives Wade, Hahn, D. Meyer, Musser, Olsen, Gronemus, M. Lehman, Nass, Powers, Lippert, Sykora, Townsend, Boyle, Seratti, Meyerhofer, Albers, Pettis, Gunderson, Ott, Plouff, Vrakas and Leibham; cosponsored by Senators Cowles, Schultz and Roessler.

Read first time and referred to committee on **Insurance, Tourism, and Transportation.**

Assembly Bill 245

Relating to: motorists approaching certain authorized emergency vehicles, tow trucks, or highway maintenance equipment stopped near a highway and providing a penalty.

By Representatives Kaufert, Stone, Starzyk and Steinbrink; cosponsored by Senator Burke.

Read first time and referred to committee on **Insurance, Tourism, and Transportation.**

Assembly Bill 246

Relating to: jurisdiction in divorces.

By Representatives Kaufert, Bock, Berceau, Gunderson, Huber, Jeskewitz, Ladwig, La Fave, Lassa, J. Lehman, Meyerhofer, Miller, Owens, Plale, Plouff, Powers, Staskunas, Stone, Townsend, Vrakas, Wade and Young; cosponsored by Senators Burke, George, Plache, Darling, Huelsman, Roessler and Rosenzweig.

Read first time and referred to committee on **Judiciary, Consumer Affairs, and Campaign Finance Reform.**

Assembly Bill 286

Relating to: the method of compensating town elective officers, compatible offices and positions for city, village, and town elective officeholders, the spending limit for construction and repair of town highways and bridges, and the disposition of town property.

By Representatives Owens, Hundertmark, F. Lasee, Ainsworth, Gunderson, Albers, Huebsch and Rhoades; cosponsored by Senators Breske and Decker.

Read first time and referred to committee on **Universities, Housing, and Government Operations.**

Assembly Bill 291

Relating to: time limits for prosecution of certain sexual assault crimes, preservation of certain evidence, and postconviction and post commitment deoxyribonucleic acid testing of evidence.

By Representatives Walker, Wasserman, Bies, Berceau, Freese, Gunderson, Gundrum, Hahn, Hundertmark, Kestell, Ladwig, La Fave, F. Lasee, Kreuser, McCormick, Musser, Nass, Owens, Plouff, Reynolds, Starzyk, Turner, Wade, Stone, Miller, Kedzie, Sykora, Olsen, Vrakas and Balow; cosponsored by Senators Burke, Erpenbach, Huelsman, Rosenzweig and Darling.

Read first time and referred to committee on **Judiciary, Consumer Affairs, and Campaign Finance Reform.**

Assembly Bill 343

Relating to: the display of the U.S. flag and offering of the pledge of allegiance or the national anthem in public and private schools.

By Representatives Jensen, Riley, Bies, Krawczyk, Starzyk, Rhoades, Ziegelbauer, Pettis, Musser, Ladwig, Huebsch, Stone, Suder, Ryba, Kreuser, Hoven, Hahn, Freese, Kestell, Ainsworth, Owens, Duff, Urban, Kreibich, Gunderson, Plouff, Leibham, Lippert, Townsend, Albers, Nass, Sykora, Kedzie, Vrakas, McCormick and Petrowski; cosponsored by

Senators Zien, Schultz, Roessler, Breske, Rosenzweig and Huelsman.

Read first time and referred to committee on **Education**.

Assembly Bill 345

Relating to: licensure of certified public accountants and accounting firms, attest and compilation services, peer review of accounting firms, eliminating certificates of authority for public accountants, and granting rule-making authority.

By Representatives Vrakas, Riley, Albers, Duff, Gundrum, Hahn, Huber, Huebsch, Hundertmark, Kedzie, Kestell, Kreibich, La Fave, Lassa, Leibham, Olsen, Plale, Ryba, Seratti, Staskunas, Stone, Turner, Urban, Walker and Wasserman; cosponsored by Senators Burke, Huelsman, Darling, S. Fitzgerald, George, M. Meyer, Risser and Rosenzweig.

Read first time and referred to committee on **Universities, Housing, and Government Operations**.

Assembly Joint Resolution 54

Relating to: creating a committee of conference on electoral reform.

By Representatives Freese and Jensen.

Read and referred to committee on **Senate Organization**.

**ANNOUNCEMENTS, ADJOURNMENT
HONORS, AND REMARKS UNDER
SPECIAL PRIVILEGE**

Senator Baumgart, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Aldo Leopold who first started the program of land conservation that was the basis for today's land conservation programs.

ADJOURNMENT

Senator Baumgart, with unanimous consent, asked that the Senate adjourn until Friday, June 15 at 10:00 A.M..

Adjourned.

10:01 A.M.